IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2372 OF 2005
WITH
WRIT PETITION NO.881 OF 2008

Rashtriya Mill Mazdoor Sangh ..Petitioner

V/s.

Union of India & ors ..Respondents

Mr.S.C.Naidu i/b.M/s.C.R.Naidu & Co., Advocate, for petitioner
Mr.D.A.Dubey with Mr.Y.R.Mishra & Mr.Subhash Pal, Advocate, for respondent No.1 – Union of India

CORAM : J.N.PATEL &
K.U.CHANDIWAL, JJ.

DATE : 16TH JULY, 2008

P.C.

. Mentioned not on board.

2. Taken on board.

3. This Court has issued summons to the Commissioner of Payments to personally remain present in this Court with Pay Order in the sum of Rs.73.78 crores. The learned counsel appearing for Union of India submits that the amount is

Rs.73,77,804.16/- and it has been wrongly quoted as Rs.73.78 crores. The learned counsel for the petitioner conceds and submits that as per the Award the amount is Rs.73,77,804.16/- and not in crores.

4. The learned counsel appearing for the Commissioner of Payments states that he has brought Pay Order, issued in favour of National Textile Corporation(MN) Ltd. and would handover the same to the learned counsel for National Textile Corporation (MN) Ltd., to deposit the same in the account of National Textile Corporation (MN) Ltd. and therefore, this Court may recall summons issued against the Commissioner of Payments.

5. In view of the fact that there has been substantial compliance of our Order, we recall our Order dated 14th July, 2008 insofar as it relates to issuance of summons against the Commissioner of Payments for remaining personally present before this Court with caution that in future the Commissioner of Payments would promptly instruct

his counsel representing him in this Court.

6. The learned counsel for respondent No.5 – Commissioner of Payments shall convey this Order to Registrar(Judicial) so that in case summons is issued, that can be recalled.

7. The matter stands adjourned for two weeks from today instead of 31st July, 2008 from today.

(J.N.PATEL, J.)

(K.U.CHANDIWAL, J.)